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New York

June 7, 2023

By ECF
Hon. Paul A. Engelmayer
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Hang Li, Individually and on Behalf of All Others Similarly Situated v. Spirit AeroSystems, Inc., et al.
1:23-cv-03722 (PAE)

Dear Judge Engelmayer,

I represent the defendants Spirit AeroSystems Holdings, Inc., Tom Gentile III and Mark J. Suchinski (collectively "Defendants") in the above captioned matter. I write jointly with Plaintiff's counsel, Gregory B. Linkh, Esq., pursuant to Rule 1(E) of your Individual Practices, to respectfully request that the Court approve the parties' proposal below regarding scheduling in this litigation. This is the first request for the relief sought herein and Plaintiff's counsel has agreed to the request.

Plaintiff filed his putative class action Complaint alleging violations of sections 10(b) and 20(a) of the Securities Exchange Act of 1934 on May 3, 2023. (Dkt. No. 1.) To date, no related actions have been filed. Pursuant to the Private Securities Litigation Reform Act, 15 U.S.C. § 77z-1(a)(3)(A)(i)(II), the deadline for Plaintiff to move the Court for appointment as lead plaintiff for the putative class ("Lead Plaintiff") in this litigation is July 3, 2023.

Defendants have executed Fed. R. Civ. P. 4(d) waivers of service on June 7, 2023 and, pursuant to Rule 4(d)(3), their time to respond to the Complaint is July 31, 2023.

The parties anticipate that the putative class member eventually appointed Lead Plaintiff will either file an amended or consolidated complaint, or designate a previously filed complaint as the operative complaint. Therefore, counsel for Plaintiff and Defendants have met and conferred and, for the convenience of the parties and the Court, propose that:

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CRAVATH, SWAINE & MOORE LLP

1. Defendants not be required to move against, answer, or otherwise respond to Plaintiff's Complaint at any time before the Court appoints a Lead Plaintiff and approves the Lead Plaintiff's selection of Lead Counsel in this action.
2. After the Court appoints a Lead Plaintiff, the parties will confer regarding a proposed schedule for the filing or designation of an operative complaint and Defendants' response thereto, including a briefing schedule in the event Defendants move to dismiss the operative complaint, and submit the proposed schedule to the Court within ten (10) court days of the appointment of a Lead Plaintiff and approval of Lead Plaintiff's selection of Lead Counsel.

Respectfully,

J. Wesley Earnhardt

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VIA ECF AND EMAIL

Granted. SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge
June 8, 2023